



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Mitts et al. Serial No. : 09/580,110
Filing Date : May 30, 2000 Examiner : Sheinberg, M
Art Unit : 1634 Confirmation No. : 1492
Docket No. : 25812-74 (new)
25812-13 (old)
Title : Elastin Peptide Analogs and Uses of Same in Combination with
Skin Enhancing Agents

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

1. This Information Disclosure Statement is filed in accordance with 36 C.F.R. §§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.
2. Pursuant to 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).
4. Pursuant to 37 C.F.R. § 1.97(c), this Information Disclosure Statement is being filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of any final office action, a notice of allowance or an action that otherwise closes prosecution and is accompanied by:

() Statement set forth below in Paragraph 5; or

(X) The fee set forth in 37 C.F.R. § 1.17(p). Enclosed is a check for \$180.00 to cover the fee set forth in 37 C.F.R. § 1.17(p) for consideration of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 02-2051, identifying our Docket No. 25812-74.

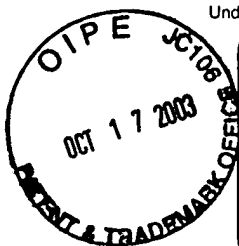
Respectfully Submitted,

Dated: 14 OCT 03

By: WHL
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PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
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Complete if Known

| | |
|-------------------------------|-------------------|
| Application Number | 09/580,110 |
| Filing Date | 05-30-2000 |
| First Named Inventor | Mitts, et al. |
| Group Art Unit | 1634 |
| Examiner Name | Sheinberg, Monika |
| Attorney Docket Number | 25812-74 |

(use as many sheets as necessary)

| | | | | | |
|-------|---|----|---|------------------------|----------|
| Sheet | 1 | of | 1 | Attorney Docket Number | 25812-74 |
|-------|---|----|---|------------------------|----------|

U.S. PATENT DOCUMENTS

| Examiner Initials ¹ | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------------------|--------------------------|----------------------|--------------------------------------|--|--|--|
| | | Number | Kind Code ² (if known) | | | |
| | AA | 5,948,418 | | Maes et al. | 09/07/1999 | |
| | AB | 5,801,192 | | Dumas et al. | 09/01/1998 | |
| | AC | 5,776,441 | | Scancarella et al. | 07/07/1998 | |
| | AD | 5,770,697 | | Ferrari et al. | 06/23/1998 | |
| | AE | 5,726,040 | | Ensley et al. | 03/10/1998 | |
| | AF | 5,643,949 | | Van Scott et al. | 07/01/1997 | |
| | AG | 5,587,396 | | Smith | 12/24/1996 | |
| | AH | 5,503,825 | | Lane | 04/02/1996 | |
| | AI | 5,028,695 | | Eckmayer et al. | 07/02/1991 | |
| | AJ | 4,381,294 | | Bouillon et al. | 04/26/1983 | |
| | AK | 4,323,553 | | Bouillon et al. | 04/06/1982 | |
| | AL | 4,118,480 | | Williams | 10/03/1978 | |
| | AM | | | | | |
| | AN | | | | | |
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| | AP | | | | | |
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| | AT | | | | | |

FOREIGN PATENT DOCUMENTS

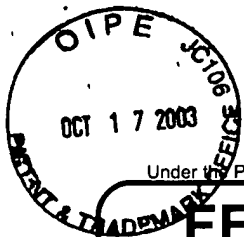
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Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Compleat if Known

| | |
|----------------------|-------------------|
| Application Number | 09/580,110 |
| Filing Date | May 30, 2000 |
| First Named Inventor | Mitts et al |
| Examiner Name | Sheinberg, Monika |
| Art Unit | 1634 |
| Attorney Docket No. | 25812-74 |

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

02-2051

Benesch, Friedlander, C..

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims | -20** = | X | |
| Independent Claims | -3** = | X | |
| Multiple Dependent | | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)

W. Scott Harders

Registration No.
(Attorney/Agent)

42,629

Telephone 216-363-4443

Signature

Date

10/14/03

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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